

REMARKS

This amendment is filed in response to the Office Action dated March 25, 2008. In view of these amendments and remarks, this application should be allowed and the case passed to issue. No new matter is introduced by this amendment.

Claims 1-10 and 12-13 are pending in this application. Claims 1-13 are rejected. Claims 1-10 and 12-13 are amended in this response. Claim 11 is canceled in this response.

Rejections under 35 U.S.C. § 112

Claims 2-12 were rejected under 35 U.S.C. § 112 as being indefinite. This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. Claims 2-12 have been amended to address the asserted informalities. Applicants submit that the claims fully comport with the requirements of 35 U.S.C. § 112.

Rejection under 35 U.S.C. § 102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Perrella (U.S. Pat. No. 4,095,712).

Claims 1, 3, 8, and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ostrowsky (U.S. Pat. No. 5,735,438).

These rejections are traversed, and reconsideration and withdrawal thereof respectfully requested.

Claim 11 was not rejected with prior art, and the limitations from Claim 11 have been incorporated into amended Claim 1. Therefore amended Claim 1 is believed to be allowable as Perrella does not disclose a long housing attached to the part of an outer periphery of the cap integrally and laterally, and having an opening at a top of the housing, wherein the housing is constructed such that symmetric shaft bearings formed in the side walls of the housing apart

from the cap are horizontal long holes to allow an arm of the pressurizing member to be slightly moved to and fro with the rotation of the pressurizing member supported by the shaft bearings.

Amended Claims 3, 8, and 12 depend from amended Claim 1, and are therefore believed to be allowable for at least the same reasons as amended Claim 1.

Rejection under 35 U.S.C. § 103(a)

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ostrowsky (U.S. Pat. No. 5,735,438). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested.

Ostrowsky does not suggest a method for collecting a reagent comprising the step of setting horizontal long holes of symmetric shaft bearings formed in the side walls apart from a cap to allow an arm to be slightly moved to and fro with a rotation of a pressurizing member supported by the shaft bearings, as required by Claim 13. Therefore amended Claim 13 is believed to be allowable.

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

Application No.: 10/722,126

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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